

As previously explained, there is no right to counsel in civil cases. The most the Court could do is request a volunteer lawyer, but there are many more unrepresented parties who want counsel than the Court has volunteer lawyers. Under *United States v. Page*, 802 F.2d 58 (2d Cir. 1986), the most important factor in deciding whether to request counsel is whether the case is likely to be of substance, and I cannot so find at this early stage of the case. So the application is denied, without prejudice to renewal at a later stage. Plaintiff's response to the motion to dismiss is due 2/28/22. He should do the best he can. The Clerk shall send a copy of this text order to Plaintiff.

In the United States District Court
For the Southern District of New York

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SO ORDERED.

Cathy Seibel
CATHY SEIBEL, U.S.D.J.

Marcus Cossatta,
Plaintiff,

Applicant
to Request Counsel 2/10/22

-against-

Downstate Correctional Facility et al.,
Defendants

20 civ-6427 (CS)

Name of Applicant Marcus Cossatta.

As being the above named plaintiff in this case I am looking for legal representation for the above mentioned case. The case is complex with legal issues and because of the nature of records being requested in the motion being filed, a lawyer is the only one legally able to view these records. The plaintiff has no legal back ground as can be seen with how this case is going. It is not going in his favor.

I understand that if a lawyer volunteers to represent me, and my lawyer learns that I can afford to pay for a lawyer, the lawyer may give this information to the court.

I understand that if my answers on my application for the court to request counsel are false my case may be dismissed.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 7, 2022

Marcus Cossatta
Marcus Cossatta